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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,103	01/25/2001	Kazushige Matsui	JP9 1999 0225	5343
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EXAMINER				
YUN, EUGENE				
ART UNIT		PAPER NUMBER		
2682				
DATE MAILED: 05/07/2004				

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IBM Corp.
Personal Systems Group Legal Dept.
Dept. 9CCA/Bldg. 002-2
Research Triangle Park, NC 27709

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/770,103

Applicant(s)

MATSUI, KAZUSHIGE

Examiner

Eugene Yun

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 11-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 11-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-8 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nilssen (US 5,068,890) in view of Kiyofumi (JP 04-334885).

Referring to Claim 1, Nilssen teaches a wireless communication apparatus for facilitating communication between computer terminals in a wireless computer network, comprising:

a power connecting section (see unlabeled mechanism connected above EBM2 and EBM3 fig. 4B) adapted for connection to a power socket intended for receiving a ceiling light (in fig. 4B, since a ceiling light is connected to the power socket, the power socket is indeed intended for receiving a ceiling light even if the plug may be of different form);

communicating means, electrically connected to the power supply connecting section STM2 (fig. 4B), for receiving power, conducting wireless communication with the terminals CT1 (fig. 4B) and for communicating via the power socket over a power line

Art Unit: 2682

with one or more other wireless communication apparatus connected thereto (TCM in fig. 4B is considered a wireless communication apparatus); and

a lamp connecting section, electrically connected to the power connecting section EBM3 (fig. 4B) adapted as a power socket to receive and power a ceiling lamp (there is no indication in the claim that the socket must be of a specific form so the custom sockets and wiring apply).

Nilssen does not teach a lamp connecting section, opposite to and electrically connected to the power connecting section adapted as a power socket to receive and power a ceiling lamp. Kiyofumi teaches a lamp connecting section, opposite to and electrically connected to the power connecting section adapted as a power socket to receive and power a ceiling lamp (fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Kiyofuma to said device of Nilssen in order for the device to consume less space in a room.

Referring to Claim 7, Nilssen teaches a network system comprising:

a plurality of wireless terminals CT1 and CT2 (fig. 4B); and

a plurality of wireless communication apparata for conducting wireless communication with the wireless terminals TCM and STM2 (fig. 4B), wherein each of said wireless communication apparata includes:

a power connecting section connected to a power socket for connecting a ceiling lamp to a power line (see unlabeled mechanism connected above EBM2 and EBM3 fig. 4B connected to power line BSCPM1); and

communicating means, connected to the power supply connecting section STM2 (fig. 4B) for conducting communication over the power line between the wireless terminals and one or more of the plurality of wireless communication apparatus (TCM in fig. 4B is considered a wireless communication apparatus also noting that there is no indication in the claim that the socket must be of a specific form so the custom sockets and wiring apply)

Nilssen does not teach a lamp connecting section, opposite to and electrically connected to the power connecting section adapted as a power socket to receive and power a ceiling lamp. Kiyofumi teaches a lamp connecting section, opposite to and electrically connected to the power connecting section adapted as a power socket to receive and power a ceiling lamp (fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Kiyofuma to said device of Nilssen in order for the device to consume less space in a room.

Referring to Claim 8, Kiyofuma also teaches a lamp 12 (fig. 1) attached to the power socket 4 (fig. 1).

Referring to Claims 2, Kiyofuma also teaches a plug equivalent to the connection for a ceiling lamp intended for the power socket (see fig. 1)

Referring to Claims 3, Kiyofuma also teaches a socket equivalent to the power socket (see 4 of fig. 1).

Referring to Claims 4 and 11, Nilsson also teaches a power line communication control section BSPCM1 (fig. 4B), connected to the power supply connection section

and conducting communication via the power line with the other wireless apparatus connected to the other power sockets;

an antenna RTA2 (fig. 4B) for wireless communication;

a wireless communication control section STM2 (fig. 4B), connected to the antenna for wireless communication and conducting wireless communication with the wireless computer terminals; and a communication control section MSCM1 (fig. 6), connected between the power line communication control section and the wireless communication control section, and transferring data between the power line communication control section and the wireless communication control section.

Referring to Claims 5 and 12, Nilssen also teaches a unit power supply section connected to said power supply connecting section and converting output voltage of the power socket for lighting to a predetermined voltage to be supplied to said communicating means (see col. 8, lines 33-39).

Referring to Claims 6 and 13, Nilssen also teaches a connecting switch placed between the power supply connecting section and the lamp connecting section, and a connecting switch control section for switching the connecting switch ON or OFF based on predetermined signals received by the communicating means WS/LCM2 (fig. 4B).

Response to Arguments

4. Applicant's arguments with respect to claims 1-8 and 11-13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (703) 305-2689. The examiner can normally be reached on 8:30am-5:30pm Alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Eugene Yun
Examiner
Art Unit 2682

EY


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